

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DAVID W. TAYLOR,)	
)	
Petitioner,)	
)	1:22-cv-460
)	
WARDEN T. SCARANTINO,)	
)	
Respondent.)	

ORDER


On October 19, 2022, the United States Magistrate Judge's Order and Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 2, 3.) No objections were filed within the time limits prescribed by Section 636.

The record reflects that the Magistrate Judge's Recommendation was served by mail to Petitioner's last known address at Butner Federal Medical Center but returned as undeliverable and unable to forward. (See Docs. 3, 4.) The records at the Bureau of Prisons indicate that Petitioner was released on October 13, 2022. This court has no obligation to locate Petitioner to provide actual notice; instead, it is the duty of a litigant to keep this court informed of a current address. LR 11.1(b). Because Petitioner has not provided the court with an address within 63 days of the date of the last return of mail, the court finds the case should be dismissed without prejudice for failure to prosecute. See LR 11.1(b).

IT IS THEREFORE ORDERED that this action be, and is hereby, **DISMISSED WITHOUT PREJUDICE** to Petitioner filing a new petition on the proper forms, with the filing fee or an application to proceed in forma pauperis, and in the proper district.

A Judgment dismissing this action will be filed contemporaneously with this Order.

This the 14th day of February, 2023.


United States District Judge